



The Little Traverse Bay Bands of Odawa Indians  
7500 Odawa Circle, Harbor Springs, MI 49740  
Tribal Chambers

**Tribal Council Regular Meeting Agenda**  
**Thursday, September 27, 2018**  
**9:00 a.m.**

**\*Agenda subject to change and may include closed session\***

Public Comment 11:45 a.m. & 3:00 p.m. (approximate)

**1:30 p.m. Anishinaabemowin by Wasson (as available)**

Lunch Recess may be held approximately 12:00 p.m. - 1:30 p.m.

**GENERAL SESSION**

1. Call to Order
2. Opening Ceremony
3. Roll Call Vote:
4. Motion to Adopt the Agenda of September 27, 2018
5. **Motion** to dedicate this meeting in honor the following Tribal Citizens who have walked on: James Hardwick, Sjana Kishigo, Tracy Lacroix, and Fawn Raymond.
6. **9:15 a.m.** Legislative Leader Fred Harrington Jr.-Closed Session-Confidential Business matters and Legal.
7. Review and Approve Minutes of September 13, 2018
8. **10:00 a.m.** Rehmann Robson 2017 Audit
9. Executive Oversight Report

**Motion** to accept the verbal and written Executive Oversight Report as presented by Tribal Chairperson Regina Gasco-Bentley for September 27, 2018.

**Action Item:**

**Motion** to adopt Tribal Resolution Appropriation of Funds for the 2019 Fiscal Year Operating Budgets Version 091318.

**Motion** to adopt Tribal Resolution Budget Modifications for FY 2018 Increased Consolidated Tribal Government Program (CTGP) related General Fund needs in other programs.

10. Tribal Council Officer Reports

a. Legislative Leader Report

**Motion** to accept the verbal report from Legislative Leader Fred Harrington Jr. for September 27, 2018.

**Motion** to acknowledge receipt of Raymond Greensky's Letter of Interest and Resume for the Odawa Construction Corporation and schedule an interview.

**Motion** to acknowledge receipt of Mike Reed's Letter of Interest and Resume for the Odawa Construction Corporation and schedule an interview.

**Motion** to assign Mary Roberts to the Odawa Economic Affairs Holding, Inc., Corporate Charter for a 3-year term ending September 27,2018 upon the Legislative Office obtaining a clean Background Report in accordance with policy.

**Motion** to assign Greg Karlis to the Odawa Economic Affairs Holding, Inc., Corporate Charter for a 3-year term ending September 27,2018 upon the Legislative Office obtaining a clean Background Report in accordance with policy.

**Motion** to assign Cheryl Kishigo-Lesky to the Odawa Economic Affairs Holding, Inc., Corporate Charter for a 3-year term ending September 27,2018 upon the Legislative Office obtaining a clean Background Report in accordance with policy.

***FYI: (6) applicants have applied and interviewed for a position as listed below. The Gaming Authority Statute requires 3-5 members. We also one listed to acknowledge receipt and set up an interview.***

**Motion** to appoint Greg Karlis to the Gaming Authority for a 4-year term upon the Legislative Office obtaining a clean Background Report in accordance with policy, and a Primary Gaming License from the Gaming Regulatory Commission obtained.

**Motion** to appoint Beverly Wemigwase to the Gaming Authority for a 4-year term upon the Legislative Office obtaining a clean Background Report in accordance with policy, and a Primary Gaming License from the Gaming Regulatory Commission obtained.

**Motion** to appoint Bernadece Boda to the Gaming Authority for a 4-year term upon the Legislative Office obtaining a clean Background Report in accordance with policy, and a Primary Gaming License from the Gaming Regulatory Commission obtained.

**Motion** to appoint Donald Lasley to the Gaming Authority for a 3-year term upon the Legislative Office obtaining a clean Background Report in accordance with policy, and a Primary Gaming License from the Gaming Regulatory Commission obtained.

**Motion** to appoint Matt Stemkoski to the Gaming Authority for a 3-year term upon the Legislative Office obtaining a clean Background Report in accordance with policy, and a Primary Gaming License from the Gaming Regulatory Commission obtained.

**Motion** to appoint Roger Borton to the Gaming Authority for a 3-year term upon the Legislative Office obtaining a clean Background Report in accordance with policy, and a Primary Gaming License from the Gaming Regulatory Commission obtained.

b. Secretary Report

i. Documents Delivered to the Executive

*-Tribal Resolution Re-Appropriation of the Odawa Economic Development Management, Inc. (OEDMI) Line of Credit was delivered to the Executive for signature on 08/24/18-the Executive signed on 09/19/18.*

-Tribal Resolution Limited Waiver of Sovereign Immunity was delivered to the Executive for signature on 09/18/18-**PENDING EXECUTIVE SIGNATURE** (due back to Tribal Council on/by 10/18/18).

-Waganakising Odawak Statute Ethics for All Levels of Tribal Government was delivered to the Executive for signature on 08/24/18-**Enacted without signature on 09/24/18.**

Waganakising Odawak Statute Contracting Statute was delivered to the Executive for signature on 09/18/18-**PENDING EXECUTIVE SIGNATURE** (due back to Tribal Council on/by 10/18/18).

- ii. Vetoes (a vote of Tribal Council to override a veto shall occur within 90-days of the veto):

-Waganakising Odawak Statute Odawa Aviation Corporation was delivered to the Executive for signature on 08/10/18-was **VETOED** on 09/07/2018.

- iii. Phone Polls passed by Tribal Council:

-09/18/18 Motion to approve a Special Work Session for Tribal Council to be held Thursday, September 20, 2018 at 9:00 a.m. in the Tribal Council chambers to avoid unnecessary delay for the purpose of reviewing resumes for the Gaming Authority Board under the new Statute.

Comments: none

Phone Poll Vote: 8 Yes, 1 No (Councilor Proctor), 0 Abstained, 0 Absent

Motion carried.

**Motion** to accept Secretary Kiogima's verbal and written report as presented on the agenda for September 27, 2018.

c. Treasurer Report

**Appropriations and Finance Committee**

-Last Meeting: September 18, 2018

*(Motions made at Appropriations and Finance Committee Meeting)*

-Motion made by Councilor McNamara and supported by Councilor Wemigwase to table the approval of the Gaming Authority 2019 Budget.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried.

-Motion made by Councilor Wemigwase and supported by Councilor McNamara to recommend to Tribal Council to approve Certified Motion #092718-01 Funding from the United States Department of the Interior, Bureau of Indian Affairs, P.L. 93-638 Annual Funding Agreement Road Maintenance Program Contract FY 2018, Funding Increase.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried.

-Motion made by Councilor McNamara and supported by Councilor Wemigwase to refer Certified Motion's #092718-02 and #092718-06 to Tribal Council.

Vote: 3-yes, 0-no, 0-abstain, 0-absent

Motion carried.

-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 092718-03 Request for Funding from U.S. Environmental Protection Agency Section 103 Clean Air Act,

*FY 2019-FY 2020 Region 5 Tribal Air Grant, Clean Air Program.*

*Vote: 3-yes, 0-no, 0-abstain, 0-absent*

*Motion carried.*

*-Motion made by Councilor Wemigwase and supported by Councilor McNamara to recommend to Tribal Council to approve Certified Motion #092718-04 Acceptance of Funds as a Sub-Grantee of Inter-Tribal Council of Michigan, Inc. Community Services Block Grant Emergency Assistance Program Funding Increase.*

*Vote: 3-yes, 0-no, 0-abstain, 0-absent*

*Motion carried.*

*-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 092718-05 Request for Funds from the Bureau of Indian Affairs Conservation Law Enforcement Officers Funds FY 2019-FY 2023.*

*Vote: 3-yes, 0-no, 0-abstain, 0-absent*

*Motion carried.*

*-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to adopt Tribal Resolution Budget Modification for Education Department Van Purchase to not exceed \$35,000.00.*

*Vote: 3-yes, 0-no, 0-abstain, 0-absent*

*Motion carried.*

*-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to adopt Tribal Resolution Funding in the Amount of \$50,000 for the purpose of Elders Emergency Assistance and Fuel and Utility Assistance.*

*Vote: 3-yes, 0-no, 0-abstain, 0-absent*

*Motion carried.*

*-Motion made by Councilor Wemigwase and supported by Councilor McNamara to acknowledge and declare that Tribal Council **will not** approve any General Fund Supplemental Funding requests for the hiring of any new government employees or for the creation of any new governmental employee positions for the remainder of FY 2018.*

*Vote: 2-yes, 1-no (Treasurer Reyes), 0-abstain, 0-absent*

*Motion carried.*

*-Motion made by Councilor McNamara and supported by Councilor Wemigwase to acknowledge receipt of additional funds from the Consolidated Tribal Government Program (CTGP) in the amount of \$62,429.48 and from the State of Michigan Child Care Fund in the amount of \$26,000 for a total of \$88,429.48.*

*Vote: 3-yes, 0-no, 0-abstain, 0-absent*

*Motion carried.*

*-Motion made by Councilor Wemigwase and supported by Councilor McNamara to acknowledge receipt of the Executive's Tribal Resolution for an Amended Budget FY 2019 received on September 13, 2018.*

*Vote: 3-yes, 0-no, 0-abstain, 0-absent*

*Motion carried.*

*-Motion made by Councilor Wemigwase and supported by Councilor McNamara to recommend to Tribal Council to **not approve** the Executive's Tribal Resolution for an Amended Budget for FY 2019 received on September 13, 2018.*

*Vote: 3-yes, 0-no, 0-abstain, 0-absent*

*Motion carried.*

**-Next Meeting: October 16, 2018.**

Phone Polls passed by Appropriations and Finance Committee: none.

**Motion** to accept the Appropriations and Finance Committee verbal and written report as provided on the agenda by Treasurer Reyes, Committee Chairperson for September 27, 2018.

**Land and Reservation Committee**

-Last Meeting: September 7, 2018.

*(No Motions made at Land and Reservation Committee Meeting)*

-Next Meeting: October 5, 2018.

Phone Polls passed by Land and Reservation Committee:

*(The 09/13/18 Phone Poll was previously reported at the 09/13/18 Tribal Council Meeting.)*

**Motion** to accept the Land and Reservation Committee verbal and written report as provided on the agenda by Treasurer Reyes, Committee Chairperson for September 27, 2018.

11. Tribal Council Member Reports:

a. Treasurer Reyes: Travel Report

**Motion** to accept Treasurer Reyes' written and verbal Travel Report as presented on September 27, 2018.

b. Councilor Wemigwase: Closed Session – Legal.

**Motion** to accept Councilor Wemigwase's verbal report as presented on September 27, 2018.

c. Councilor Shananaquet: Whistle Blower document received against Odawa Casino Resort.

**Motion** to accept Councilor Shananaquet's verbal report as presented on September 27, 2018.

d. Councilor McNamara: Tribal Historic Preservation Officer (THPO) Program

**Motion** to accept Councilor McNamara's verbal report as presented on September 27, 2018.

12. Legislative Office Reports:

a. Office of Finance and Revenue:

**Motion** to accept Sr Financial Analyst Rachel Cope's verbal and written report for September 27, 2018.

b. Tribal Historic Preservation Officer:

**Motion** to acknowledge receipt of Wes Andrews resignation email from both the NAGPRA/MAGPRA and the THPO Program effective October 9, 2018.

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**Motion** to acknowledge Wes Andrews dedication and hard work as the NAGPRA/MAGPRA and THPO for many years of service.

c. Legislative Services Attorney: Need closed session for legal review.

**Motion** to accept Legislative Services Attorney Donna Budnick's verbal and written report for September 27, 2018.

d. General Counsel

**Motion** to accept General Counsel Jim Bransky's written report as presented on September 27, 2018.

**Motion** to adopt Tribal Resolution Approval of Consent and Agreement with Chemical Bank and Approval or Affirmation of Prior Approval of Lease, Subleases and Sub-Leasehold Mortgages.

e. Legislative Office Manager

**Motion** to accept Legislative Office Manager Michele Portman-LaCount's verbal and written report as presented on September 27, 2018.

13. Corporate Charters and/or Board Updates:

- a. Traditional Tribal Burial Board
- b. Odawa Economic Development Management, Inc.
- c. Ziibimijwang, Inc.
- d. Gaming Enterprise Board

14. Tribal Council Action Items:

- a. Motions
  - i. **Motion** to approve Citizenship List A-Eligible for Citizenship dated September 24, 2018 for a total of 4.
  - ii. **Motion** to approved Citizenship List B-Ineligible for Citizenship dated September 24, 2018 for a total of 3.
  - iii. **Motion** to approve Certified Motion #092718-01 Funding from the United States Department of the Interior, Bureau of Indian Affairs, P.L. 93-638 Annual Funding Agreement, Road Maintenance Program Contract FY 2018, Funding Increase.
  - iv. **Motion** to approve Certified Motion #092718-02 Approval of FY 2019-FY 2021 Tribal Transportation Improvement Plan.
  - v. **Motion** to approve Certified Motion #092718-03 Request for Funding from the U.S. Environmental Protection Agency, Section 103 of the Clear Air Act, FY 2019-FY 2020 Region 5 Tribal Air Grant, Clean Air Program.

- vi. **Motion** to approve Certified Motion #092718-04 Acceptance of Funds as a Sub-Grantee of Inter-Tribal Council of Michigan, Inc., Community Services Block Grant Emergency Assistance Program Funding Increase.
- vii. **Motion** to approve Certified Motion #092718-05 Request for Funds from the Bureau of Indian Affairs, Conservation Law Enforcement Officers Funds FY 2019-FY 2023.
- viii. **Motion** to approve Certified Motion #092718-06 Authorization to Participate in Nationwide Elder Needs Assessment.
- ix. **Motion** to assign Kevin Gasco to the Ziibimijwang, Inc. Corporate Charter to fill the remainder of a 4-year term ending January 8, 2019, and a new 4-year term beginning January 8, 2019 ending January 8, 2023 on the Ziibimijwang, Inc., and to approve a new ARTICLE VII of the Ziibimijwang, Inc Corporate Charter upon the Legislative Office obtaining a clean Criminal Background Investigation Report.
- x. **Motion** to approve the Odawa Economic Affairs Holding, Inc., Corporate Charter.
- xi. **Motion** to acknowledge receipt of Robert Ellerman's Letter of Interest and Resume for the Gaming Authority Board and set up an interview.
- xii. **Motion** to acknowledge receipt of Robert Ellerman's Letter of Interest and Resume for the Odawa Economic Affairs Holding, Inc. Corporate Charter.

b. Roll Call Votes

- i. **Motion** to adopt Tribal Resolution Budget Modification for Education Department Van Purchase.
- ii. **Motion** to adopt Tribal Resolution Supplemental Funding in the Amount of \$50,000.00 for the purpose of Elders Emergency Assistance and Fuel and Utility Assistance.

15. Other Items of Business:

Adjournment

Next Scheduled Meeting  
**Thursday, October 11, 2018 at 9:00 a.m.**